

randomly associating the second selected pay value with at least one of the indicia from a second group of matching indicia;
displaying the pay values on the display in an area separate from the indicia; and
paying the player revealing [the first and second] one of the groups of matching indicia an amount equal to the sum of a multiple of the [first selected] pay value associated with that group [and a multiple of the second selected pay value].

Please cancel claim 14.

REMARKS

Applicants note with appreciation the courteous interview granted by the examiner to George H. Gerstman, counsel for applicant, on June 24, 2003.

In order to expedite prosecution of this application, claims 1 and 13 have been amended and claim 14 has been canceled. Reconsideration and allowance of the application as amended are respectfully requested.

As pointed out in the specification of the present application, prior versions of a gaming concept have provided bonus payouts with present payouts based on second indicia that are matched. However, the payouts for matching a particular set of second indicia remain the same from game to game. Thus, player interest tends to dwindle as play progresses.

For example, in Schneider et al. U.S. Patent No. 6,089,976, there is no teaching of changing the payout amounts with respect to the indicia. This is in sharp contrast to the present invention, see Figs. 5 and 8 of the present application in particular, where there is a random association of the characters with a pay value. In other words, there

are always characters in the present invention that have pay values that are randomly assigned.

Other gaming concepts which possibly utilize randomization provided display on which a prize value is immediately unmasked when the masking element is touched. An example of this is in Bennett U.S. Patent No. 6,015,346. However, it is believed that player interest is enhanced when the prize value is not unmasked but is displayed in an area separate from the mask indicia.

To this end, applicant has invented a gaming apparatus and method that is significantly different from the prior art and which enhances the player's interest. In accordance with the present invention, as set forth in claim 1, a gaming apparatus is provided which includes a wager receipt mechanism, a player interface including a display device, a payout device, and a processor coupled to the wager receipt mechanism and to the player interface and to the payout device and operating under stored program control. The stored program control operates for displaying an array of first indicia respectively masking second indicia on the display. The first indicia is player selectable for revealing the associated second indicia in an attempt to reveal at least one matching group of second indicia. The stored program control is operable to select first and second pay values from a plurality of possible pay values. It randomly associates the selected first pay value with at least one of the second indicia from a first matching group of second indicia and it randomly associates the second pay value with at least one of the second indicia from a second matching group of second indicia. The stored program control is operable for displaying the pay value on the display in an area separate from the first and second indicia.

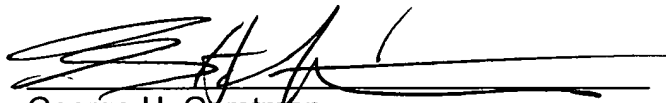
As brought out in claim 13, a gaming method comprises the steps of presenting to a player a set of plurality of masked indicia, providing for player selection of and revealing of the indicia in an attempt to reveal at least one group of matching indicia on a display. A first pay value is selected from a plurality of possible pay values, wherein the first selected pay value is randomly associated with a first group of matching indicia. A second pay value is selected from a plurality of possible pay values and the second selected pay value is randomly associated with at least one of the indicia from a second group of matching indicia. The pay values are displayed on the display in an area separate from the indicia. The player that reveals one of the groups of matching indicia is paid an amount equal to the sum of a multiple of the pay value associated with that group.

As stated above, Schneider does not teach randomly changing the payout amounts with respect to the indicia and neither Schneider nor Bennett teach the display of the pay value on the display in an area separate from the first and second indicia. Further, as pointed out during the interview, there is no suggestion in either of them of modifying them to make the combination set forth in claims 1 and 12 and thus to do so would not have been obvious at the time of the invention.

The patent to Glavich is not prior art because it would qualify as prior art only under Section 102(e) but the subject matter of the present invention and the subject matter of Glavich were, at the time the present invention was made, subject to an obligation of assignment to the same company, International Game Technology. See 35 U.S.C. § 103(c).

A sincere effort has been made to amend the claims in a manner that clearly distinguishes the invention from the prior art references, whether taken singly or in combination with each other. In view of the foregoing amendments and remarks, it is believed that the application is now in condition for allowance and an early notice of allowance is respectfully requested.

Respectfully submitted,
SEYFARTH SHAW

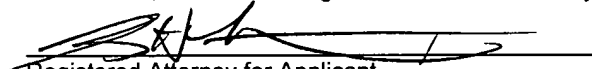


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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on July 8, 2003.



Registered Attorney for Applicant
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